

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JACKIE STEWART,

Plaintiff,

-vs-

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

: CASE NO. 5:12 CV 02143

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:
: MEMORANDUM AND ORDER
: GRANTING JOINT MOTION FOR
: REMAND
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:
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

The plaintiff Jackie Stewart filed a complaint on 21 August 2012, seeking judicial review of the Commissioner of Social Security's final decision that the plaintiff was a representative payee for claimant Dusty Lea Jameson and not without fault with respect to an alleged overpayment of supplemental security income. (Doc. 1). The defendant filed an answer on 2 January 2013. (Doc. 14). The parties now jointly move for an order reversing the decision and remanding for further proceedings, pursuant to the fourth sentence of 42 U.S.C. § 405(g).

This Court may enter "a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). The Court hereby grants the parties' joint motion, reversing the decision of the Commissioner and remanding for further proceedings. On remand, the Appeals Council shall "proffer new and material evidence to Plaintiff,

propose a revised decision, and extend her an opportunity for a hearing before an Administrative Law Judge.” (Doc. 18).

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 2 April 2013